REMARKS

Claims 11-29 are pending in the present application. Claims 11-29 have been added. Claims 1-10 have been cancelled without prejudice or disclaimer to the subject matter contained therein.

A. Rejection under 35 U.S.C. §101

Claims 1-10 have been rejected under 35 U.S.C. §101 for merely solving a mathematical problem without any practical application. This rejection under 35 U.S.C. §101, of claims 1-10 and as it also may apply to newly added claims 11-29, is respectfully traversed.

In formulating the rejection under 35 U.S.C. §101, the Examiner alleges that the claims merely solve a mathematical problem. This position by the Examiner is respectfully traversed in view of the above amendments.

The presently claimed invention, as set forth in newly added independent claim 11, is directed to a method for squeezing hue values (H_{in}) of a digital image toward a preferred hue value (H_{pref}) for the digital image. The method receives a digital image file, the digital image file including a plurality of pixels of color image data, each pixel of color image data being defined by a hue value, a chroma value, and a lightness value; selects a hue value (H_{in}) from the digital image file; selects a preferred hue value (H_{pref}); calculates hue change value ($\Delta H = H_{in} - H_{pref}$); calculates a chroma weight value (C_{WEIGHT}) and a hue weight value (H_{weight}); calculates a hue adjustment value ($H_{Adjust} = \Delta H*(H_{weight}*C_{weight})$); calculates a destination hue value ($H_{out} = H_{in} - H_{Adjust}$); repeats, for each hue value in the digital image file, the selecting of the hue value from the digital image file, the calculating of the hue change value, the calculating of the hue adjustment value, and calculating of the destination hue value; and replaces each hue value in the digital image file the associated calculated destination hue value to generate a modified digital image file.

Moreover, the presently claimed invention, as set forth in newly added independent claim 18, is directed to a method for squeezing hue values (H_{in}) of a digital image toward a preferred hue value (H_{pref}) for the digital image. The method receives a digital image file, the digital image file including a plurality of pixels of color image data,

each pixel of color image data being defined by a hue value, a chroma value, and a lightness value; selects a hue value (H_{in}) from the digital image file; selects a preferred hue value (H_{pref}); calculates a hue change value ($\Delta H = H_{in} - H_{pref}$); calculates a hue weight value (H_{weight}) and a lightness weight value (L_{weight}); calculates a hue adjustment value ($H_{Adjust} = \Delta H*(H_{weight}*L_{weight})$); calculates a destination hue value ($H_{out} = H_{in} - H_{Adjust}$); repeats, for each hue value in the digital image file, the selecting of the hue value from the digital image file, the calculating of the hue change value, the calculating of the hue adjustment value, and calculating of the destination hue value; and replaces each hue value in the digital image file the associated calculated destination hue value to generate a modified digital image file.

Furthermore, the presently claimed invention, as set forth in newly added independent claim 25, is directed to a method for squeezing first colorspace values ($CS1_{in}$) of a digital image toward a first colorscape preferred value ($CS1_{pref}$) for the digital image. The method receives a digital image file, the digital image file including a plurality of pixels of color image data, each pixel of color image data being defined by a colorspace, the colorspace having a first colorscape value (CS1), a second colorscape value (CS2), and a first colorscape value (CS3); selects a first colorspace value ($CS1_{in}$) from the digital image file; selects a first preferred colorspace value ($CS1_{pref}$); calculates a first colorspace change value ($\Delta CS1 = CS1_{in} - CS1_{pref}$); calculates a first colorscape weight value ($CS1_{WEIGHT}$) and a second colorscape weight value ($CS2_{weight}$); calculates a first colorscape adjustment value ($CS1_{Adjust} = \Delta CS1*(CS1_{weight}* CS2_{weight})$); calculates a first colorscape destination value ($CS1_{out} = CS1_{in} - CS1_{Adjust}$); repeats, for each first colorscape value in the digital image file, the selecting of the first colorscape value from the digital image file, the calculating of the first colorscape change value, the calculating of the first colorscape adjustment value, and calculating of the first colorscape destination value; and replaces each first colorscape value in the digital image file the associated calculated first colorscape destination value to generate a modified digital image file.

As clearly set forth above, the presently claimed invention, as set forth in the independent claims, recites a method that determines adjustment for a colorspace value of a pixel in a digital image file and replaces the colorspace value in the digital image file with a destination colorspace value that has been calculated from the colorspace value, a preferred colorspace value, and weighted colorspace values. In other words, the presently claimed invention, as set forth in the independent claims, does not merely recite the solving of a mathematical problem with no practical application, but sets forth a method that modifies certain colorspace values within a digital image file.

Accordingly, in view of the amendments and remarks set forth above, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. §101.

B. Obviousness-type Double Patenting Rejection

Claims 1 and 5-10 have been provisionally rejected under the doctrine of Obviousness-type Double Patenting with respect to claims 1, 7, and 9-13 of co-pending patent application number 10/642,794. This rejection under the doctrine of Obviousness-type Double Patenting is respectfully traversed.

In formulating this rejection, the Examiner alleges that the both sets of claims (claims 1 and 5-10 of the above-identified application and claims 1, 7, and 9-13 of co-pending patent application number 10/642,794) are drawn to the same invention because both sets of claims allegedly generate a hue output using the same equation, $H_{out} = H_{in} - H_{Adjust}$. This position by the Examiner is respectfully traversed.

It is respectfully submitted that the claims of co-pending patent application number 10/642,794 do not utilize the same equation as set forth above in the newly added claims. Furthermore, the Examiner has failed to provide any independent evidence demonstrating why one of ordinary skill in the art would find the present claims obvious in view of the claims of co-pending patent application number 10/642,795.
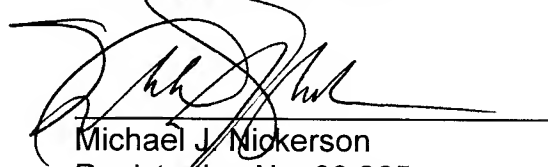
Lastly, it is respectfully submitted that claims 1, 7, and 9-13 of co-pending patent application number 10/642,794 have been cancelled. Therefore the present rejection under the doctrine of Obviousness-type Double Patenting is moot.

Accordingly, in view of the amendments and remarks set forth above, the Examiner is respectfully requested to reconsider and withdraw the rejection under the doctrine of Obviousness-type Double Patenting.

CONCLUSION

Accordingly, in view of all the reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the present rejections. Also, an early indication of allowability is earnestly solicited.

Respectfully submitted,

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